

Application No.: 10/003,040

Docket No.: 13220/012001; P5847

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1-30 are pending in this application. Claims 1, 10, 11, 20, 21, 28, and 29 are independent. The remaining claims depend, directly or indirectly, from claims 1, 11, 20, 21, and 29. Claims 11-20 and 29-30 have been cancelled by this reply without prejudice or disclaimer.

**Claim Amendments**

Independent claims 1, 10, 21, and 28 have been amended to clarify the present invention. Specifically, claims 1, 10, 21, and 28 have been amended to add the limitation: "sending changes to the schema to the replication consumer if the change sequence number on the replication consumer is less than the change sequence number on the replication supplier." Further, claims 1, 10, 21, and 28 have been amended to clarify the following limitation: "updating the schema on the replication consumer to obtain a schema update using the changes to the schema." Support for the aforementioned amendments may be found, for example, in paragraph [0040] of the instant specification.

In addition, dependent claims 4, 5, 22, 23, 24 have been amended to address various antecedent basis issues. No new matter has been added by any of the aforementioned amendments.

Application No.: 10/003,040

Docket No.: 13220/012001; P5847

**Rejections under 35 U.S.C. § 102**

Claims 1-6, 9, 21-25, and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,728,713 (Beach). To the extent this rejection still applies to the amended claims, this rejection is respectfully traversed.

For anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. The Applicant respectfully asserts that Beach fails to teach or suggest all the limitations recited in amended independent claim 1.

Specifically, amended independent claim 1 now requires the following:

“reading the change sequence number on the replication consumer;”

“sending changes to the schema to the replication consumer if the change sequence number on the replication consumer is less than the change sequence number on the replication supplier;”

“updating the schema on the replication consumer to obtain a schema update using the changes to the schema;”

Thus, no changes to the schema are sent to the replication consumer unless the schema on the replication consumer needs to be updated (*i.e.*, if the change sequence number on the replication consumer is less than the change sequence number on the replication supplier”). In contrast, Beach teaches (i) transmitting the changes made to the schema to the replication consumer and (ii) determining whether to update the schema on the replication consumer *after* the changes to the schema have been received by the replication consumer. (*See* Beach, col. 7, ll. 11-18).

Thus, Beach teaches the transfer of changes to the schema regardless of whether the replication consumer actually needs the changes to the schema, while amended independent

Application No.: 10/003,040

Docket No.: 13220/012001; P5847

claim 1 recites the transmission of the changes to the schema *only if* the replication consumer requires the changes to the schema.

In view of the above, amended independent claim 1 is patentable over Beach. Amended independent claims 10, 21, and 28 include at least the same patentable limitations as amended independent claim 1 and, thus, are patentable over Beach for at least the same reasons as amended independent claim 1. Dependent claims are patentable over Beach for at least the same reasons as amended independent claims 1, 10, 21, and 28. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 11-20, 29 and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,871,346 (Kumbalimutt). Claims 11-20, 29, and 30 have been cancelled by this reply. Accordingly, this rejection is now moot.

#### Rejections under 35 U.S.C. § 103

Claims 7, 8, 10, 26, and 27 are rejected under 35 U.S.C. 103 as being unpatentable over Beach in view of Kumbalimutt. To the extent this rejection still applies to the amended claims, this rejection is respectfully traversed. To establish a *prima facie* case of obviousness "...the prior art reference (or references when combined) must teach or suggest all the claim limitations." (See MPEP §2143.03). Further, "all words in a claim must be considered in judging the patentability of that claim against the prior art." (See MPEP §2143.03). The Applicant respectfully asserts that the references, when combined, fail to teach or suggest all the limitations of amended independent claims 1, 10, and 21.

As discussed above, Beach fails to teach or suggest all the limitations of amended independent claims 1 and 21. Further, Kumbalimutt does not teach that which Beach lacks.

Application No.: 10/003,040

Docket No.: 13220/012001; P5847

This is evidenced by the fact that Kumbalimutt is only relied upon to teach LDAP operations.  
(See Office Action mailed October 7, 2005, pp. 8-9).

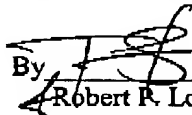
In view of the above, none of the aforementioned referenced, whether considered separately or in combination, teach or suggest the invention recited in the pending independent claims. Accordingly, the pending independent claims are patentable over the aforementioned references. Dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

#### Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 13220/012001).

Dated: January 9, 2006

Respectfully submitted,

By  #45,079  
Robert R. Lord THOMAS SCHERER  
Registration No.: 46,479  
OSHA · LIANG LLP  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)  
Attorney for Applicant